

REMARKS

In the Office Action, the Examiner rejected claims 1-14. By this paper, Applicant cancelled claims 2 and 30, added new claims 36-43, and amended claims 1, 4-6, 9, 11, 13, 29, 30, and 32-34 for clarification of certain features to expedite allowance of the present application. These amendments do not add any new matter. Upon entry of these amendments, claims 1, 3-14, 29, and 31-43 will be pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Objection to the Drawings

In the Office Action, the Examiner objected to Figure 1 because of misplacement of an arrow of a directional line. Accordingly, Applicant amended Figure 1 as provided on the attached Replacement Sheet. In view of this amendment, Applicant respectfully requests the Examiner withdraw the objection to the drawings.

Claim Objections

In the Office Action, the Examiner objected to claim 11. However, in view of the present amendment to claim 11, the Examiner's objection is believed to be moot. Accordingly, Applicant respectfully requests the Examiner withdraw the objection to the claim 11 and allow the claim.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-14 and 29-35 under 35 U.S.C. § 103(a) as unpatentable over Lange et al. (U.S. Patent No. 5,151,474) in view of Buchanan et al. (U.S. Patent No. 5,678,751). Applicant respectfully traverses this rejection.

Legal Precedent

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case, the Examiner must not only show that a modified reference includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the reference. *See Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). The Examiner must provide objective evidence, rather than subjective belief and unknown authority, of the requisite motivation or suggestion to modify the cited reference. *See In re Lee*, 61 U.S.P.Q.2d. 1430 (Fed. Cir. 2002). One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

Independent Claim Features Missing from Cited References

Turning to the claims, the present independent claims 1 and 29 recite a low resolution Raman spectroscopy system. Quite the opposite, the Lange et al. reference teaches a high resolution system. *See Lange*, col. 4, lines 3-45. Indeed, the Lange et al. reference demands high resolution, stating the “[h]igh resolution is *needed*.” *See id.* (emphasis added). Further, the

Buchanan reference fails to obviate this deficiency of Lange et al. Accordingly, Applicant respectfully request that the Examiner withdraw the foregoing rejection and allow the claims.

Dependent Claim Features Missing from Cited References

Applicant emphasizes that while the present dependent claims are patentable over the cited references by virtue of their dependency on an allowable base claim, the dependent claims are also believed to be patentable because of the subject matter they separately recite. For example, dependent claim 14 recites “adjusting a product shipment in response to the property of interest.” Clear, the cited references are absolutely devoid of such a feature. In another example, dependent claim 35 recites that “the polymer fluff comprises a polymer fluff blend.” Conversely, the Lange et al. reference is directed to analysis of a fluid stream. Clearly, neither Lange et al. or Buchanan, whether taken alone or in combination, teach or suggest measurement of a fluff stream, much less of a fluff blend stream. For these additional reasons, Applicant respectfully request that the Examiner withdraw the rejection of the dependent claims and allow the claims.

New Claims

As indicated, Applicant added new claims 36-43. New independent claim 36 is generally directed to monitoring a polyolefin production via placing a Raman spectroscopic probe into a conduit of a monomer recovery system of the polyolefin production system. Plainly, the cited references are absolutely devoid of this feature. Clearly, in Lange et al., for example, the spectroscopic system is situated in the reactor feed system, quite the opposite of disposition in a monomer recovery system which is located downstream of the polymerization reactor system.

New dependent claims 37-43 are directed to various features of the present techniques. Such features not taught by the cited references.

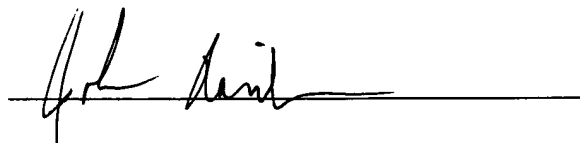
Conclusion

The Applicant respectfully submits that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: October 16, 2006

A handwritten signature in black ink, appearing to read "John M. Rariden", is written over a horizontal line.

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